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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/915,257	07/27/2001	Masayuki Hisatake	040894-5692	6806
9629	7590	08/09/2006	EXAMINER	
MORGAN LEWIS & BOCKIUS LLP 1111 PENNSYLVANIA AVENUE NW WASHINGTON, DC 20004			MILIA, MARK R	
			ART UNIT	PAPER NUMBER
			2625	

DATE MAILED: 08/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/915,257

Applicant(s)

HISATAKE ET AL.

Examiner

Mark R. Milia

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/15/06 has been entered. Currently, claims 1-9 are pending.

Response to Arguments

2. Applicant's arguments with respect to claims 1-9 have been considered but are moot in view of the current amendment and therefore a new ground(s) of rejection will be made.

Further, regarding claims 1, 4, 6, and 8, the applicant asserts on page 10 that Tanimoto does not teach or suggest a controller that decompresses the image data included in the image information when identified information included in header information indicates that the attribute information and the image data of the image information are arranged in a predetermined sequence on a per-page basis. Tanimoto does not explicitly disclose identifying that the information is arranged in a

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predetermined sequence on a per-page basis. However, Tanimoto does disclose a controller that decompresses the image data included in the image information when identified information included in header information indicates that the attribute information and the image data of the image information are arranged in a predetermined sequence. Particularly, Tanimoto states that upon reception of the electronic mail, a TIFF is extracted and analyzed, and the image is decompressed (converted to dot data). It is well known in the art that a TIFF file header has a standard fixed structure. The first two bytes identify the byte order, next is a 16-bit integer stored in the byte order indicated by the previous two bytes that store the constant value 42dec, and the last four bytes reference the offset of the first image file directory (IFD). The image file directory (IFD) contains all information pertaining to a stored image. Therefore, it is inherent that the header information is arranged in a predetermined sequence otherwise the file would not be considered a TIFF file. Thus, Tanimoto discloses a controller that decompresses the image data included in the image information when identified information included in header information indicates that the attribute information and the image data of the image information are arranged in a predetermined sequence.

Claim Rejections - 35 USC § 102

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claim 5 is rejected under 35 U.S.C. 102(b) as being anticipated by Japanese Patent Application Publication No. 11-127297 to Tanimoto, as cited on Information Disclosure Statement dated July 27, 2001.

Tanimoto discloses an image information processing apparatus comprising: a controller that generates image information in an image file format which enables storage, in arbitrary positions, of image data and attribute information pertaining to the image information (see Drawings 1, 2, and 4, paragraphs [0013], [0016], [0024], [0028] lines 3-6, [0030] lines 1-4, [0031] lines 1-3, [0034]-[0038], and [0049]-[0050]), a communication unit exchanges, with a receiver device externally connected via a network and is to send image information, negotiation information in connection with a layout sequence of image data and attribute the information and that outputs the generated image information, wherein the attribute information and the image data of the image information are arranged in a predetermined sequence based on a result of exchange of the negotiation information (see Drawings 1, 2, and 4, paragraphs [0004]-[0010], [0013], [0016], [0024], [0028] lines 3-6, [0030] lines 1-4, [0031] lines 1-3, [0034]-[0038], and [0049]-[0050], TIFF file headers are always arranged in a predetermined sequence).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-4 and 6-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanimoto (JP 11-127297) in view of U.S. Patent No. 6782402 to Hidaka et al.

Regarding claim 1, Tanimoto discloses an image information processing apparatus comprising: a communication unit that receives image information in an image file format which enables storage, in arbitrary positions, of image data and attribute information pertaining to the image information (see Drawings 1 and 2 and paragraphs [0013], [0016], and [0018]), and a controller that decompresses the image data included in the image information when the attribute information is acquired, when identifying information is included in header information pertaining to the image information, the identifying information indicates that the attribute information and the image data of the image information are arranged in a predetermined sequence (see Drawings 1, 2, and 4, paragraphs [0013], [0016], [0024], [0028] lines 3-6, [0030] lines 1-4, [0031] lines 1-3, [0034]-[0038], and [0049]-[0050], reference states that the image data is decompressed at the time of reception, which is analogous to the claim limitation, further TIFF file headers are always arranged in a predetermined sequence).

Tanimoto does not disclose expressly that the attribute information and the image data of the image information are arranged in a predetermined sequence on a per-page basis.

Hidaka discloses that the attribute information and the image data of the image information are arranged in a predetermined sequence on a per-page basis (see Figs. 39-40 and column 12 line 13-column 13 line 13).

Regarding claim 2, Tanimoto discloses an image information processing apparatus comprising: a controller that generates image information in an image file format which enables storage, in arbitrary positions, of image data and attribute information pertaining to the image information (see Drawings 1, 2, and 4, paragraphs [0013], [0016], [0024], [0028] lines 3-6, [0030] lines 1-4, [0031] lines 1-3, [0034]-[0038], and [0049]-[0050]), and an output unit that outputs the generated information, wherein the attribute information and the image data of the image information are arranged in a predetermined sequence, and the image information includes identifying information indicating that the attribute information and the image data of the image information are arranged in a predetermined sequence in header information of the image information (see Drawing 1 and paragraph [0020] lines 2-5, TIFF file headers are always arranged in a predetermined sequence).

Tanimoto does not disclose expressly that the attribute information and the image data of the image information are arranged in a predetermined sequence on a per-page basis.

Hidaka discloses that the attribute information and the image data of the image information are arranged in a predetermined sequence on a per-page basis (see Figs. 39-40 and column 12 line 13-column 13 line 13).

Regarding claim 4, Tanimoto discloses an image information processing apparatus comprising: a communication unit that receives image information in an image file format which enables storage, in arbitrary positions, of image data and attribute information pertaining to the image information and that exchanges, with a sender device externally connected via a network, negotiation information in connection with a layout sequence of the image data and attribute the information (see Drawings 1, 2, and 4, paragraphs [0004]-[0010], [0013], [0016], [0024], [0028] lines 3-6, [0030] lines 1-4, [0031] lines 1-3], [0034]-[0038], and [0049]-[0050]), and a controller that decompresses the image data included in the image information when the attribute information is acquired, when the received negotiation information indicates that the attribute information and the image data of the image information are arranged in a predetermined sequence (see paragraphs [0016], [0030] lines 1-4, and [0031] lines 1-3)).

Tanimoto does not disclose expressly that the attribute information and the image data of the image information are arranged in a predetermined sequence on a per-page basis.

Hidaka discloses that the attribute information and the image data of the image information are arranged in a predetermined sequence on a per-page basis (see Figs. 39-40 and column 12 line 13-column 13 line 13).

Regarding claim 6, Tanimoto discloses a computer-readable storage medium that stores a program for causing a computer to perform processes for entering and decompressing image information comprising: a communication step of receiving the

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image information in an image file format which enables storage, in arbitrary positions, of image data and attribute information pertaining to the image information (see Drawings 1 and 2 and paragraphs [0013], [0016], and [0018]), a determination step of determining identifying information included in header information pertaining to the entered image information whether or not the attribute information and the image data are arranged in a predetermined sequence (see Drawings 1, 2, and 4, paragraphs [0013], [0015], [0016], [0024], [0028] lines 3-6, [0030] lines 1-4, [0031] lines 1-3, [0034]-[0038], and [0049]-[0050]), and a decompression step of decompressing the image data included in the image information when the attribute information and the image data are determined to be arranged in the predetermined sequence (see paragraphs [0030] lines 1-4 and [0031] lines 1-3).

Tanimoto does not disclose expressly that the attribute information and the image data of the image information are arranged in a predetermined sequence on a per-page basis.

Hidaka discloses that the attribute information and the image data of the image information are arranged in a predetermined sequence on a per-page basis (see Figs. 39-40 and column 12 line 13-column 13 line 13).

Regarding claim 7, Tanimoto discloses a computer-readable storage medium that stores a program for causing a computer to perform processes for producing image information, comprising: a controller that generates image information in an image file format which enables storage, in arbitrary positions, of image data and attribute information pertaining to the image information (see Drawings 1, 2, and 4, paragraphs

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[0013], [0016], [0024], [0028] lines 3-6, [0030] lines 1-4, [0031] lines 1-3, [0034]-[0038], and [0049]-[0050]), a sequential information storage step of storing identifying information into header information of the image information, wherein the identifying information indicates that the attribute information and the image data are stored predetermined sequence (see paragraphs [0016], [0024], and [0034]-[0037]), an image information generation step of producing the image information by means of storing the attribute information and the image data in the predetermined sequence (see paragraphs [0013], [0024], [0028] lines 3-6, [0030] lines 1-4, [0031] lines 1-3, [0034]-[0038], and [0049]-[0050]), and an output processing step of outputting generated image information (see paragraphs [0020] lines 2-5 and [0038]).

Tanimoto does not disclose expressly that the attribute information and the image data of the image information are arranged in a predetermined sequence on a per-page basis.

Hidaka discloses that the attribute information and the image data of the image information are arranged in a predetermined sequence on a per-page basis (see Figs. 39-40 and column 12 line 13-column 13 line 13).

Regarding claim 8, Tanimoto discloses a computer-readable storage medium that stores a program for causing a computer to perform processes for entering and decompressing image information, comprising: a communication step of receiving the image information in an image file format which enables storage, in arbitrary positions, of image data and attribute information pertaining to the image information (see Drawings 1 and 2 and paragraphs [0013], [0016], and [0018]), a negotiation processing

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step of conducting negotiations with a sender device externally connected via network in connection with a layout sequence of the image data and attribute information (see paragraphs [0034]-[0038]), and a decompression step of decompressing the image data included in the received image information, when it is identified that the attribute information and the image data are arranged in a predetermined sequence through the negotiation processing step (see paragraphs [0030] lines 1-4 and [0031] lines 1-3).

Tanimoto does not disclose expressly that the attribute information and the image data of the image information are arranged in a predetermined sequence on a per-page basis.

Hidaka discloses that the attribute information and the image data of the image information are arranged in a predetermined sequence on a per-page basis (see Figs. 39-40 and column 12 line 13-column 13 line 13).

Regarding claim 9, Tanimoto disclose a computer-readable storage medium that stores a program for causing a computer to perform processing for producing image information, comprising: a controller that generates image information in an image file format which enables storage in arbitrary positions, image data and attribute information pertaining to the image information (see Drawings 1, 2, and 4, paragraphs [0013], [0016], [0024], [0028] lines 3-6, [0030] lines 1-4, [0031] lines 1-3, [0034]-[0038], and [0049]-[0050]), a negotiation processing step conducting negotiations with a receiver device externally connected via network in connection with a layout sequence of the image data and the attribute information (see paragraphs [0034]-[0038]), an image information generation step of producing the image information by means of arranging

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the attribute information and the image data in a predetermined sequence based on a result of negotiations performed the negotiation processing step (see paragraphs [0013], [0024], [0028] lines 3-6, [0030] lines 1-4, [0031] lines 1-3, [0034]-[0038], and [0049]-[0050]), and an output processing step of outputting produced image information (see paragraphs [0020] lines 2-5 and [0038]).

Tanimoto does not disclose expressly that the attribute information and the image data of the image information are arranged in a predetermined sequence on a per-page basis.

Hidaka discloses that the attribute information and the image data of the image information are arranged in a predetermined sequence on a per-page basis (see Figs. 39-40 and column 12 line 13-column 13 line 13).

Tanimoto & Hidaka are combinable because they are from the same field of endeavor, transmission of TIFF files over a network.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the TIFF file structure and associated information on a page basis, as described by Hidaka, with the system of Tanimoto. Further, it is well known in the art that a TIFF file header has a standard fixed structure. The first two bytes identify the byte order, next is a 16-bit integer stored in the byte order indicated by the previous two bytes that store the constant value 42dec, and the last four bytes reference the offset of the first image file directory (IFD). The image file directory (IFD) contains all information pertaining to a stored image. Therefore, it is inherent that the header

information is arranged in a predetermined sequence otherwise the file would not be considered a TIFF file.

The suggestion/motivation for doing so would have been to ensure proper reception and analysis of the header information and associated attribute and image information to accurately reproduce the image data.

Therefore, it would have been obvious to combine Hidaka with Tanimoto to obtain the invention as specified in claims 1, 2, 4, and 6-9.

Regarding claim 3, Tanimoto further discloses wherein said output unit exchanges negotiation information in connection with a layout sequence of attribute information and image data with a receiver device which receives the image information, (see Drawings 1, 2, and 4, and paragraphs [0004]-[0010] and [0035]-[0038]), and said controller generates the image information on the basis of a result of the exchange negotiation information (see paragraphs [0038] and [0049]).

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. To further show the state of the art refer to the attached Notice of References Cited.

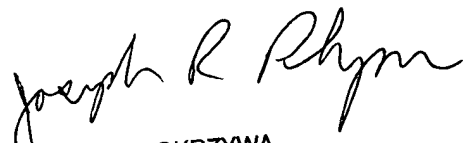
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark R. Milia whose telephone number is (571) 272-7408. The examiner can normally be reached M-F 8:00am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler M. Lamb can be reached at (571) 272-7406. The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Mark R. Milia
Examiner
Art Unit 2625

MRM


JOSEPH R. POKRZYWA
PRIMARY EXAMINER